GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Revenue Department - T.T.Ds. – Appeal petition filed by Sri K. Delhi Babu, (Dismissed from TTD Services) Tirupati, before the Government u/s 120 (ii) of the Act 30/1987 against the orders of dismissal from service –Allowed – Dismissal orders confirmed-Orders – Issued.

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REVENUE (ENDTS.III) DEPARTMENT

G.O.Ms.No.340 **Dated:27 -07-2017**

Read the following:

1. Suspension orders of EO,TTD, Tirupati, Memo.Roc.No.DA2/ 8192/2011, dt. 04.06.2011.
2. Article of Charges of E.O, TTD, Memo. Roc. No.DA2/8192/2011, dt. 06.06.2011.
3. From Sri K. Delhi Babu, Jamedar, dismissed from TTD Service, Appeal petition, dt. 28.12.2016 received on 24.01.2017.
4. Govt., Memo.No.465121/Endts.III/A2/2017, dt. 28.02.2017.
5. Orders of the Hon'ble High Court of AP & State of Telangana in WP No.46820 of 2016, dt.2.1.2017.
6. From the EO, TTD, Lr.Roc.No.B8/1801/2013, dt. 30.01.2017.
7. From the EO, TTD, Tirupathi, Lr.Roc.No.B8/1801/2017, Dt.25.03.2017.

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O R D E R:

Sri K. Delhi Babu, Jamedar, dismissed from TTD service, Tirupati, Chittoor district was alleged that he was committed Rape to a Minor Girl, resident of Kasi Purma (V), Bestavaripet (M), Prakasam district. He was remanded to II Town Police Station and case was register under FIR No.30/2011, dt. 4.6.2011 u/s 376 IPC at II Town Police Station, Tirumala. Basing on the above complaint, Sri K. Delhi Babu, Jamedar was placed under suspension in the reference 1st read above.

2. In the reference 2nd read above, Article of Charges are framed against Sri K. Delhi Babu, Jameder, now dismissed from TTD service. Sri Sri K. Delhi Babu, Jamedar, not chosen to submit his explanation. The EO, TTD, Tirupati appointed an Inquiry Officer. Accordingly, the Inquiry Officer conducted the departmental inquiry and submitted his report.

3. The disciplinary authority has examined the Inquiry report and findings of the Inquiry officer, observed that the charge in the criminal case against the delinquent employee and the charge framed against the delinquent is grave and no malice or motive can be attributed to the Victim girl, as she is a pilgrim of Tirumala. After careful examination of the entire case and taking all the factors of the case into consideration, Sri K. Delhi Babu, Jamedar was dismissed from TTD services.

4. Aggrieved by the said punishment order, he preferred an appeal to the TTD Board under section 120(i) of Act, 30/87. The TTD Board in its Res.No.145, dated: 01.11.2016, approved the recommendations of the Sub-committee and the decision of the TTD Board was communicated to the appellant.

5. In the reference 3rd read above, Sri K. Delhi Babu, Jamedar, now dismissed from TTD service, Tirupati, has filed an appeal before the Government under section 120 (ii) of the Act 30/1987 and requested to set aside the removal orders passed by the respondent and reinstate/ appoint the appellant in to the post of Jamedar (Emp.No.13360) in the office of ACV & SO, TTD, Tirumala in the interest of justice.

6. The case was called for hearing on 12.06.2017. Both the appellant and the representative of TTD attended and the case was heard.

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7. The Government have heard the arguments and examined relevant records. The enquiry was conducted in accordance with rules. After perusing the relevant records, it is found that, it is the prime duty of the appellant to safe guard the properties and interest of TTD and he should not behave in such a manner which is unbecoming on part of the employee and it is derogatory to the decorum of TTD. Contrary to this the charge framed against the delinquent employee is grave and no malice or motive can be attributed to the victim girl as she is a pilgrim of Tirumala and she had no reason to create troubles herself by making false allegations. The medical report issued by the Forensic Medicine department on benefits of doubt only. The appellant to defending himself only he citing the non availability of Eye witness or material evidence of the said offence. A complaint of this nature at the world famous reverend pilgrim center like Tirumala is not at all desirable, the appellant is to prove himself beyond anyone's doubt particularly in this case mere acquittal on benefit of doubt by a lower court cannot be the basis for absolving the charges against the appellant.

8. The Government after careful examination by taking of all the facts of the case into consideration, hereby reject the appeal petition of Sri K. Delhi Babu, Jamedar, now dismissed from TTD service, Tirupati, Chittoor district as there are no good grounds to interfere with the decision of Board.

9. Accordingly, the appeal petition of Sri K. Delhi Babu, Jamedar, now dismissed from TTD service, Tirupati, Chittoor district is hereby dismissed.

10. The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati.
Sri K. Delhi Babu, Jamedar
C/o. A.A. Mallikarjuna, Door No.15,
GNB-TTTD quarters, Near DR Mahal, Tirupati
(Through the Executive Officer Tirumala Tirupati Devasthanams., Tirupati)

Copy to:-
The PS to Minister (Endts.)
The PS to Special Chief Secretary to Government (Endowments)
SC/SF

// FORWARDED BY ORDER //

SECTION OFFICER